

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
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James F. Nagy)	Group Art Unit: 2872
)	
Application No.: 10/825,903)	Examiner: Ricky D. Shafer
)	
Filed: April 16, 2004)	Attorney Docket No.: 24330-0001-U1
)	
For: System for Creating Spectral Displays)	

AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

I. INTRODUCTORY COMMENTS

To the Commissioner for Patents:

This paper is responsive to the Office communication mailed on September 18, 2006, setting a one-month (or 30 days) shortened statutory period for reply. Because this Response is being submitted electronically on November 15, 2006, a Petition for a One-Month Extension of Time is included herewith. The Commissioner is hereby authorized to charge any and all required fees associated with this Response to Deposit Account No. 50-1059 (McNees, Wallace & Nurick LLC). Please note that the Patent Office indicated on page 2 of the May 05, 2006 Office communication that the Applicant's original Response of June 30, 2006, appeared to be a *bona fide* attempt to reply to the previous Office Action. The Applicant understands, based on MPEP 710.02(b), which permits 1-month shortened statutory periods for reply in the event of *bona fide* attempts to reply that include inadvertent omissions, and MPEP 710.01(a), which requires that "where the statutory period runs from the date of a previous action, a statement to that effect should be included" (no such statement appears in the present Office communication), that the September 18, 2006 mailing date started a new statutory period for reply, and that a Petition for a One-Month Extension of Time under 37 C.F.R. 1.136(a) is appropriate in the

above-referenced application. Again, the Commissioner is hereby authorized to charge any and all required fees associated with this Response to Deposit Account No. 50-1059 (McNees, Wallace & Nurick LLC). Amendments to the claims begin on page 3 of this Response and the Remarks begin on page 9. Consideration and reconsideration of the claims presented herein is respectfully requested.